



PATENT

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ON

February 24, 2006

Mark B. Quatt

Registration No. 30,484

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barmore et al. Docket No.: D-43664-01
Serial No.: 10/719,625 Group Art No.: 1772
Filing Date: November 21, 2003 Examiner: Miggins, Michael C.
Title: OXYGEN DETECTION SYSTEM FOR A RIGID CONTAINER

TERMINAL DISCLAIMER PURSUANT TO 37 C.F.R. § 321(c)

I, Mark B. Quatt, represent that I am an attorney of record in the above-identified patent application. Cryovac, Inc., the owner of a 100 percent interest in the above-identified application, as well as the owner of U.S. Patent No. 6,689,438 (Kennedy et al.), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-56 and 173 of U.S. Patent No. 6,689,438. Any patent granted on the above-identified application shall be enforceable only for and during such period that it and U.S. Patent No. 6,689,438 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors, or assigns. In making this disclaimer, no terminal part of any patent granted on the above-identified application before the expiration date of the full statutory term of U.S. Patent No. 6,689,438 is disclaimed if the patent: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated before the expiration of its full statutory term.

Please charge the fee required by 37 C.F.R. § 1.20(d), \$130.00, as well as charging any additional fees or crediting any overpayments, to Deposit Account No. 07-1765.

Any questions regarding this submission should be directed to the attention of the undersigned.

Date: February 24, 2006

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Respectfully submitted,

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